S.B.CRIMINAL MISC. BAIL APPLICATION NO.6142/2007

(Ravindra Kumar & Anr. vs. State of Rajasthan)

DATE OF ORDER : December 17, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.H.M.Saraswat, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.
Mr.Anil Gaur, for the first informant.

Heard learned counsel for the petitioners, Public Prosecutor for the State and the counsel appearing for the first informant. Perused the order impugned.

It appears from the order impugned that earlier the first informant had been residing separately for which her husband filed a petition under section 9 of the Hindu Marriage Act. However, subsequently, the first informant and her husband compromised the matter and the first informant started living with her husband and, thereafter, a case has been instituted and husband of the first informant has been arrested and the dowry articles have been recovered. The petitioners are said to be the parents-in-law residing separately.

Having regard to the facts and circumstances of the case, I consider it just and proper to grant anticipatory bail to the petitioners.

Accordingly, the bail application filed by the petitioners under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Ravindra Kumar s/o Farsaram and Smt. Kanta Devi w/o Ravindra Kumar in FIR No.132/2007, P.S. Mahila, Bikaner, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-